STC 8577

# By the Kings Maieſties Commiſsioners, for conſide-

## ring the offence and offendors, to whom licence and diſpenſation ſhall be granted for ſome arrable Lands conuerted from tillage to paſture.

THE KINGS moſt Excellent Maieſtie tendring the quiet, eaſe, and good of his Subiects, together with the preſeruation of his Lawes vſefull in his kingdomes, out of his vigilant care and great wiſedome, perceiuing that ſome Lawes or the rigour thereof in ſome meaſure vpon occaſions in all times as at this time haue beene and are neceſſarily to be reformed or qualified, being found by experience not ſo vſefull and behoofull in preſent and future for the publike good, as at the making thereof they were or were thought to be, His Maieſtie as he is *Rex Legis*, ſo is he tender in the diſpenſation with his Law once made except it be vpon mature deliberation. Amongſt which for that he is aſſured by well weighed conſideration of ſome of his moſt Honorable priuie Councell, and Judges, and his Councell learned, That the Lawes or branches of the Lawes touching the conuerting and turning of tillable lands into paſture, and keeping and vſing the ſame in paſture, are rather of late become a meanes to moleſt ſome innocent ſubiects whom it concernes not as well as others, by the practiſe and conniuancie of Informers, then to cauſe any reformation of the abuſes in the offendor, as it is found by daily and generall experience, and in the execution thereof for the moſt part it hath happened, for that the innocent and guiltleſſe perſons being free by the prouiſions and exceptions therein, are neuertheleſſe ſued and troubled by reaſon of the doubtfulneſſe and expoſition thereof: And the nocent and great offendors by the practiſe and agreement of the Informers for ſome priuate gaine eſcape vnpuniſhed, without reformation of the offence or benefit to his Maieſtie. And foraſmuch as vpon due conſideration of the conuenience of this Lawe, and the ſtate of this kingdome in that point it doeth not appeare: but that as there is much arrable land of that nature become paſture, ſo is there by reaſon thereof, much more other lands of old paſture, and waſte, and woodlands where the plough neuer entred, as well as of the ſame paſture lands, ſo heretofore conuerted, become errable, and by husbandrie made fruitfull with corne, and ſo will daily be increaſed if the price of corne ſhall ariſe, whereof yet (God be thanked) here hath beene no want, inſomuch as the quantitie and qualitie of errable and Corne-lands at this day doth much exceed the quantitie that was at the time of making the ſaid Lawe. And that there is rather want of paſture for breed and feed of Cattell and ſheepe, as appeares by the rcarcitie and dearenelle of Beeues and Muttons. Wherein there is alſo a common and generall neceſsitie and vſefulnes aſwell as of corne, which as the want thereof ſhall appeare, or the price thereof increaſe, all or a great part of thoſe lands which were heretofore conuerted from errable to paſture, and haue ſithence gotten heart, ſtrength, and fruitfulneſſe, will be reduced to Corne lands againe, to the great increaſe of graine to the Common-wealth, and profite to each man in his priuate. But his Maieſtie hauing alwaies the mercie of his Lawe in his hand aſwell as the rigour or iuſtice thereof, and vnderſtanding that ſome perſons of his ſubiects not truly offending, or not thinking they doe offend herein, as beeing meere purchaſers of ſuch lands, vpon great and valuable conſiderations as auncient paſture lands, long after the conuerſion thereof. And they hauing had no knowledge that thoſe lands were of that nature at the time of the purchaſe ſubiect to the Law, or yet being of that nature ſeemed otherwiſe. And others of his ſubiects hauing conuerted and continued ſuch lands, haue put in tillage others in lieu thereof, or ſatisfied ſome other exception and prouiſion of the Lawe to that purpoſe, yet ſeeming to be ſubiect and in danger of that Lawe, are daily to their great charges vexed as well as offendors, by one or other Informer, without end of trouble, or reformation of the offence by reaſon of corruption and conniuancie. So as the innocent thereby ſuffers with the nocent, albeit it is not doubted but ſome for aduancement of their eſtates, and better enabling themſelues to pay their debts, and ſupport their families and hoſpitalitie, haue herein incurred the penaltie and rigour of the Lawe with little detriment to the Common-wealth, and cannot for the preſent time, without great damage in their eſtates alter and change the ſame againe for the time being, aſwell for that the ſaid lands are ſo let in Leaſe vnder Fine, Rent, and condition to hold it ſo, ſo as ſome guiltie and guiltleſſe herein haue need of his gracious pardon, licence, and diſpenſation for protection againſt thoſe Informers for ſome offences for the time paſt. His Maieſtie therefore vpon theſe and many other conſiderations, and at the humble ſute of diuers of his ſubiects, hereupon out of his benigne nature ioyning mercie with iuſtice to thoſe who are vnder the daunger of thoſe lawes, hath for a time thought good to graunt his Commiſsion vnder his great Seale, directed to his Judges, learned Councell, and other Gentlemen of qualitie of his ſeruants and others here-vnder named, or ſome of them, to conſider of the offences and offendors of that kind. And that thereupon his gracious pardon and licence for ſuch offences as are paſt (with ſome reſtraints and cautions therein neceſſarie and behoofefull for the

wo'ale publike, may by their Warrant be sued out and granted to such persons their Heires and Assignes for ever, as to them or some of them shall seeme good, and the rest to bee left to the rigour and more severe prosecution of the Lawe for future offences of that kinde.

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1 THis Licence and pardon is warranted by Lawe, and many Presidents of the late Queene and other Princes.

2 It is conuenient for the state of the Kingdome as now it is.

3 It breedes a quietnes & freedome to many Subiects in their estates, who seemed great, but are litle or no offendors herein.

4 It doth not encourage offences of this kind to be committed, for the Law shalbe more strictly prosecuted for future offences.

5 There is no want of Corne in the Common-wealth, yet by reason of the offences past,

6 It takes away the corruption and trouble of the Informer for the time, by whom it hath rather beene suffered and procured then reformed.

7 It settles mens possessions and lands which are conuerted to enable them to buy and sell Lands of that nature, freed of that charge, which otherwise by the Lawe it is subiect too.

8 It is not meant to dispense with, or licence depopulation of townes or villages.

9 The conuerting and altering that errable land to pasture which hath beene done, hath occasioned much more other barren waste, and wood-lands to be made arrable and fruitfull for Corne, where the plough neuer entred.

The Office and place hereof to resort vnto, is Sir Henry Bretons house, one of the Commissioners herein, in *Drewrie-Lane* aboue *Drewrie* House, next to the Signe of the *Griffin*, where you shall receiue further satisfaction herein.

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## The Commissioners for this Graunt.

Sir Henry Montague Knight, Lord chiefe Iustice of the Kings Bench: Sir Henry Hubert Knight Baronet, Lord chiefe Iustice of the Common-pleas: Sir Laurence Tanfield Knight, Lord chiefe Baron: The Iudges of all the Courts: Sir Randall Crewe Knight: Sir Henry Fynch Knight: Sir Robert Hitcham Knight: Sir Henry Yeluerton Knight, Atturney generall: Sir Thomas Couentrie Knight, Sollicitor: Sir Edward Moseley Knight: Sir Henry Breton Knight: Edward Ramsey Esquire: George Croke Esquire: Thomas Fanshaw Esquire: Edward Latymer Esquire: Thomas Warwicke Esquire: and William Wright Esquire.

God saue the King.

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